

STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY

November 16, 2005

A regular meeting of the New Hampshire Board of Pharmacy was held on **November 16, 2005** at the Board office, 57 Regional Drive, Concord, New Hampshire. The meeting was **called to order at 9:04 a.m.** with President Kristina Genovese presiding.

I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS

PRESENT

Kristina Genovese, President
George L. Bowersox, Vice-President
Vahrij Manoukian, Treasurer
Sandra B. Keans, Secretary
Margaret E. Hayes, Member
Ronald L. Petrin, Member

ALSO PRESENT

Paul G. Boisseau,
Executive Secretary
Carl T. Kelly,
Compliance Investigator
Margaret A. Clifford,
Compliance Investigator

II. REVIEW/ADOPTION OF MINUTES

Minutes of the **October 19, 2005 regular meeting** of the Board were accepted as submitted. **(Manoukian/Bowersox). Voted (unanimous).**

III. LICENSING

A. Pharmacists

1. Request to Vacate Order

EL-ALI, Mona

Nashua, NH

-NH License No. R1784

-Case File: ROI 26/05

Pursuant to mitigating circumstances, Ms. El-Ali requested that the Board review and reconsider its *Order* (September 14, 2005) revoking her NH license to practice pharmacy.

Motion (Bowersox/Keans) to vacate the *Order* issued by the Board on September 14, 2005 due to a misunderstanding of change of address as

communicated by the U.S. Postal Service to the Board and, further, restoring Ms. El-Ali's license to good-standing status. Voted (unanimous).

2. Voluntary Surrender

PETERSEN, Eric D.

Gainesville, FL

-NH License No. 2212

-Case File: ROI 36/05

Motion (Bowersox/Hayes) to accept the *Voluntary Surrender* of NH pharmacist license No. 2212 effective immediately. Voted (unanimous).

3. Settlement Agreement

SANTOS, Kathleen A.

Derry, NH

-NH License No. R1180

-Case File: ROI 13/05

Motion (Petrin/Manoukian) to accept the *Settlement Agreement* as signed by Ms. Santos which provides, in part, a reprimand and additional continuing education as specified. Voted (passed – with Commissioner Bowersox voting nay and Commissioner Genovese and Hayes recused).

B. Pharmacy

1. New

(a) **OSCO PHARMACY #7686/321**

41 Indian Rock Road

Windham, NH 03087

Pharmacist-In-Charge: John W. Murphy, R.Ph.

NH Pharmacist License No. R1801

Corporate Officer/Supervisor: Mark Strickland, R.Ph.

Division Pharmacy Manager

Application complete.

Motion (Keans/Hayes) granting a temporary permit to Osco

Pharmacy #7686/321 located at 41 Indian Rock Road, Windham, NH based upon the successful completion of the primary inspection, and issuance of the original permit upon successful completion of the secondary inspection pursuant to Ph 305.02. Voted (passed – Commissioner Bowersox recused).

(b) HANNAFORD PHARMACY #315

290 North Main Street
Rochester, NH 03867

Pharmacist-In-Charge: Nicole A. Wolters, R.Ph.
NH Pharmacist License No. 3433
Corporate Officer/Supervisor: Jay Queenan, R.Ph.
Pharmacy Operations Manager

Application complete.

Motion (Keans/Bowersox) granting a temporary permit to Hannaford Pharmacy #315 located at 290 North Main Street, Rochester, NH based upon the successful completion of the primary inspection, and issuance of the original permit upon successful completion of the secondary inspection pursuant to Ph 305.02. Voted (unanimous).

(c) STOP & SHOP PHARMACY #205

601 Nashua Road
Milford, NH 03055

Pharmacist-In-Charge: Kenneth E. Grossman, R.Ph.
NH Pharmacist License No. 2324
Corporate Officer/Supervisor: Joe Angileri, R.Ph.
Regional Pharmacy Manager

Application complete.

Motion (Keans/Hayes) granting a temporary permit to Stop & Shop Pharmacy #205 located at 601 Nashua Road, Milford, NH based upon the successful completion of the primary inspection, and issuance of the original permit upon successful completion of the secondary inspection pursuant to Ph 305.02. Voted (unanimous).

2. Extension-of-Time

STOP & SHOP PHARMACY #204

137 Portsmouth Avenue
Exeter, NH 03833

Pharmacist-In-Charge: Christina Lunt, R.Ph.
NH Pharmacist License No. R1782
Corporate Officer/Supervisor: Joe Angileri, R.Ph.
Regional Pharmacy Manager

Application reviewed and accepted by the Board on September 14, 2005.

Motion (Hayes/Keans) to approve a request for a 60-day extension-of-time relative to the site inspection [according to Ph 305.02(a)] due to construction and/or other delays. Extension is valid through January 16, 2006 and is granted on the condition that no changes to the pharmacy area have occurred, or are intended to occur, pursuant to the schematics as approved by the Board on September 14, 2005. Voted (unanimous).

IV. COMPLIANCE UNIT

A. **Activity Report**

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Motion (Manoukian/Hayes) to accept the report as submitted. Voted (unanimous).

V. NEW BUSINESS

A. **Request for Waiver**

INFUSION SOLUTIONS, INC.

8 Technology Drive
Bedford, NH 03110

Request for waiver of Ph 707.03(b) to enable the destruction of certain leftover partial units of controlled substances used in the compounding of sterile products by a designated pharmacist employed by *Infusion Solutions, Inc.* and witnessed by a second person.

Motion (Petrin/Manoukian) denied. Voted (unanimous).

*In consideration of current rules, the Board has no authority to grant this request. Accordingly, the request is **denied** and the destruction of controlled drugs at Infusion Solutions must continue according to Ph 707.01 and Ph 707.02 (a) and (b).*

The Board is currently in the last stages of rulemaking, and a new section (reference amended Ph 707.01) will allow the Board to grant an authorization similar to what is now sought.

The meeting was recessed at 10:24 A.M. for purposes of meeting with the Board's legal counsel from the Attorney General's Office. The meeting was called back to order at 10:56 A.M. and the agenda business of the Board resumed.

A non-public session was called (Manoukian/Hayes) at 12:20 P.M. with Commissioners Bowersox, Genovese, Keans, Manoukian, and Petrin present. Commissioner Hayes was present but not participating.

Discussions and/or decisions occurring during this non-public (confidential) session were according to RSA 91-A:3, I & II and involved information pursuant to ongoing investigations as reported by the Board's Compliance Investigator(s) and/or the Office of the Attorney General, the disclosure of which would likely adversely affect a person's reputation and/or would render the Board's proposed action ineffective.

The non-public session was adjourned at 12:31 P.M.

VI. ADJOURNED 12:40 P.M.

Respectfully submitted,

Sandra B. Keans
Secretary
FOR THE BOARD